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IN THE UNITED STATES DISTRICT COURT
8
FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

SAN JOSE DIVISION

10

UNITED STATES OF AMERICA,) No. CR-08-00452-RMW
11)
12 Plaintiff,) **STIPULATION TO CONTINUE
HEARING AND EXCLUDE TIME;
[] ORDER**
13 v.)
14 WENCESLADO VALENCIA-LOPEZ)
15 Defendant.)

16

Defendant and the government, through their respective counsel, hereby stipulate that,
17 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
18 Monday, March 2, 2009 at 9:00 a.m., be continued to Monday, March 23, 2009, at 9:00 a.m.
19 The continuance is requested to allow defense counsel further time for effective preparation and
20 investigation. Additionally, the parties are reviewing new discovery regarding one of the
21 defendant's prior convictions.

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The parties further agree that time should be excluded under the Speedy Trial Act because

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STIPULATION TO CONTINUE
HEARING DATE; [] ORDER
No. CR-08-00452 RMW

1 the defense requires time for effective preparation and investigation, and the ends of justice
2 outweigh the defendant's and the public's need for a speedy trial.

3 Dated:

4 _____/s/
5 LARA S. VENNARD
6 Assistant Federal Public Defender

7 Dated:

8 _____/s/
9 CHAD MANDELL
10 Assistant United States Attorney

11 **[] ORDER**

12 The parties have jointly requested a continuance of the hearing set for Monday, March 2,
13 2009, to allow time for the defense to complete investigation, and for the parties to review new
14 discovery.

15 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
16 presently set for Monday, March 2, 2009, be continued to Monday, March 23, 2009, at 9:00 a.m.

17 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
18 from March 2, 2009 to March 23, 2009, shall be excluded from the period of time within which
19 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

20 Dated: 3/6/09

21 _____
22 RONALD M. WHYTE
23 United States District Judge
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